

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

RONNIE MARTIN,

Plaintiff,

v.

TIM GRAY, STATE OF WISCONSIN,
and ABC INSURANCE COMPANY,

Defendants.

Case No. 17-CV-1192-JPS

ORDER

On September 12, 2017, Magistrate Judge David E. Jones issued a recommendation to this Court that certain defendants, namely the State of Wisconsin and the fictitious ABC Insurance Company, be dismissed from this action. (Docket #4). Magistrate Jones further recommended that Plaintiff be allowed to proceed *in forma pauperis* against the remaining defendant, Tim Gray. *Id.* The time for objecting to the recommendation has passed and none has been received. *See* Fed. R. Civ. P. 72; Gen. L. R. 72(c). The Court has considered the recommendation, and without objection, will adopt it. As to Defendant Gray, the Court will order that the complaint be served upon him via the U.S. Marshals Service.

Accordingly,

IT IS ORDERED that Magistrate Judge David E. Jones' report and recommendation (Docket #4) be and the same is hereby **ADOPTED**;

IT IS FURTHER ORDERED that Defendants State of Wisconsin and ABC Insurance Company be and the same are hereby **DISMISSED** from this action;

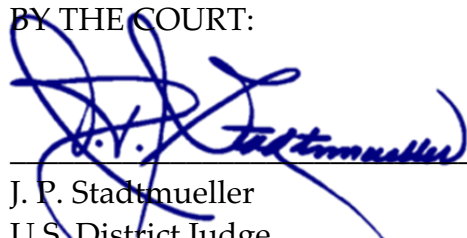
IT IS FURTHER ORDERED that Plaintiff's motion for leave to proceed *in forma pauperis* (Docket #2) be and the same is hereby **GRANTED**;

IT IS FURTHER ORDERED that the United States Marshal shall serve a copy of the complaint and this order upon Defendant Tim Gray pursuant to Federal Rule of Civil Procedure 4. Plaintiff is advised that Congress requires the U.S. Marshals Service to charge for making or attempting such service. 28 U.S.C. § 1921(a). The current fee for waiver-of-service packages is \$8.00 per item mailed. The full fee schedule is provided at 28 C.F.R. §§ 0.114(a)(2), (a)(3). Although Congress requires the court to order service by the U.S. Marshals Service precisely because *in forma pauperis* plaintiffs are indigent, it has not made any provision for these fees to be waived either by the court or by the U.S. Marshals Service; and

IT IS FURTHER ORDERED that Defendant Tim Gray shall file a responsive pleading to the complaint.

Dated at Milwaukee, Wisconsin, this 2nd day of October, 2017.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge